REMARKS

Claims 1-20 are pending in the current application. Reconsideration in view of the following remarks is kindly requested.

CLAIM OBJECTIONS

Applicant acknowledges the Examiner's indication that claims 2, 3, 6, 7, 10, 13 and 18 would be allowable if rewritten into independent form. However, in view of the below remarks Applicants submits that all claims are allowable in their present form.

Claims 3, 4, 7, 8, 11, 14, 16, 19 and 20 stand objected for allegedly including an acronym without a definition. By this Amendment, Applicant respectfully submits that this objection has been addressed, and requests that the Examiner withdraw this objection.

REJECTION UNDER 35 U.S.C. § 102 (B) TO DUPONT

Claims 1, 4, 5, 8, 9, 11, 12, 14-17 and 19 stand rejected under 35 U.S.C. § 102 (b) as allegedly being anticipated by DuPont. Applicant respectfully traverses this art grounds of rejection.

DuPont is directed to a method of dynamically allocating time slots on a package data communications channel. DuPont discloses that conventional communication systems only attempt to deliver or transmit a message to a particular terminal during an active time slot for that terminal (column 1, lines 43-46). DuPont acknowledges that this may conserve power or battery life (column 1, lines 47-50).

According to DuPont, the conventional method of determining which time slots are active and which are inactive is determined through a predetermined pattern or interval (column 1, lines 50-53). For example, every 4th or 8th time slot may be determined to be an inactive time slot (column 1, lines 54-56). DuPont teaches that another way the active or

inactive time slots may be designated is dynamically. In other words, a pattern key and a

time slot identifier may be used to dynamically determine whether a time slot is active or

inactive. This requires "delivering the message [including information represetntative of an

active time slot pattern] to the terminal during an active time slot of the active time slot

pattern" (column 3, lines 35-36).

In contrast, the claimed invention appreciates that inactive time slots typically include

random data. Thus, the random data present in inactive time slots may be used to determine

whether a time slot is active or inactive. On the contrary, DuPont requires a combination of a

pattern key and a time slot identifier for this determination. DuPont therefore does not

disclose or suggest determining whether a time slot is active or inactive based on random bits.

In view of the above, Applicant respectfully submits that DuPont cannot disclose or

suggest discontinuing modulation of a carrier signal "during inactive time slots when random

bits are supplied from the system controller", as recited in independent claims 1 and 5, and as

somewhat similarly recited in independent claims 9, 12, 15 and 17.

Claims 4, 8, 11, 14, 16 and 19, as they are dependent upon independent claims 1, 5, 9,

12, 15 and 17, respectively, are allowable over DuPont at least for the reasons given above

with respect to independent claims 1, 5, 9, 12, 15 and 17. Applicant respectfully requests that

the Examiner withdraw this art grounds of rejection.

REJECTION UNDER 35 U.S.C. § 103 (A) TO DUPONT AND APPLICANT ADMITTED PRIOR ART

(AAPA)

Claim 20 stands rejected under 35 U.S.C. § 103 (a) as being unpatentable over

DuPont and the AAPA. Applicant respectfully traverses this art grounds of rejection.

The AAPA describes a system were both active and inactive time slots are constantly

modulated and transmitted. In the described conventional system, random bits are modulated

during inactive time slots. Thus, the pattern key of DuPont which indicates which time slots are active and which are inactive is not required in the conventional system disclosed by the AAPA. DuPont requires the additional step of <u>transmitting a pattern key to determine which time slots are active and inactive</u>. In contrast, the AAPA attempts to mitigate the problem of inactive time slots <u>simply by modulating all time slots</u> (i.e., both active and inactive time slots). DuPont does <u>not</u> modulate all time slots, but rather relies upon a dynamic or keyed pattern of time slots to determine when not to modulate.

Thus, the objects of DuPont and the AAPA are completely different. The Examiner has alleged that "one of ordinary skill in the art would have been motivated to" combine DuPont and the AAPA "in order to maintain synchronization" (page 4 of the Office Action). However, as discussed above, the DuPont and the AAPA are directed to quite disparate methodologies which synchronize modulation of time slots in completely different and <u>incompatible</u> manner. Applicant thus respectfully submits that, one of ordinary skill in the art would not be motivated to combine DuPont and the AAPA.

Applicant respectfully requests that the Examiner withdraw this art grounds of rejection. Reconsideration and allowance of all pending claims is respectfully requested.

CONCLUSION

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of claims 1-20 in connection with the present application is earnestly solicited.
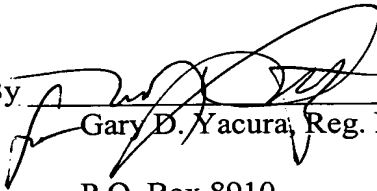
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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